

SUPREME COURT
OF GEORGIA
FILED

2020 MAR 18 PM 5:09

THERESE S. BARNES
CLERK

IN THE SUPERIOR COURT OF GWINNETT COUNTY

STATE OF GEORGIA

IN RE:
DECLARATION OF
JUDICIAL EMERGENCY

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20-B-01097-1 Q

March 18, 2020

RICHARD ALEXANDER, CLERK

20 MAR 19 AM 4:19

FILED IN OFFICE
CLERK SUPERIOR COURT
GWINNETT COUNTY, GA

TEMPORARY DESIGNATION OF AN ALTERNATE FACILITY FOR THE
CONDUCT OF JUDICIAL BUSINESS

WHEREAS, IT HAS BEEN DETERMINED that a Judicial Emergency exists in Gwinnett County, Georgia affecting all courts such that there is a serious health emergency pursuant to O.C.G.A. § 38-3-60(2)(D).¹ That order issued by this Court on March 13, 2020 is hereby incorporated herein.

WHEREAS effective March 14, 2020 the Chief Justice of the Supreme Court of Georgia has also determined that a statewide judicial emergency exists. That order issued by the Chief Justice is also hereby incorporated herein.

As an “authorized judicial official” as defined on O.C.G.A. § 38-3-60 and acting in accordance with provisions of O.C.G.A. § 38-3-61, it is hereby declared that this Court is confronted with a judicial emergency. Therefore, pursuant to O.C.G.A. § 38-3-61, the Honorable Chief Judge George F. Hutchinson, III of the Superior Court of Gwinnett County, Gwinnett Judicial Circuit DOES HEREBY REAFFIRM the existence of a Judicial Emergency in the Gwinnett Judicial Circuit. The nature of this emergency is the continued transmission of

¹ See O.C.G.A. § 38-3-60(2)(D) (providing that “Judicial Emergency” means “[s]uch other serious emergency”).

Georgia, Gwinnett County
This is to certify this is a true and correct copy
of Order as the same appears of record
in Gwinnett County Superior/State Court.
Given under my official signature and seal of
the Court this 18 day of March 2020
Cathy Farnum
Deputy Clerk Superior/State Court, Gwinnett County, Georgia

Coronavirus/COVID-19 throughout Gwinnett County and the potential for infection of those who are required to appear in our courts, who may be required to interact with large groups and those who work in court facilities. The Court is aware of at least one incident where person(s) with access to a judicial building may have been exposed to the virus.

Finally, the County Administrator has determined that all county buildings, including the Gwinnett Justice and Administration Center as well as the Gwinnett Juvenile and Recorder's Court building, should be temporarily closed on March 19, 2020 for the purpose of thoroughly cleaning and disinfecting those buildings to better ensure the health and safety of all who might have need to enter. Thus, the undersigned hereby again makes this declaration of a judicial emergency affecting all courts and clerk's offices in Gwinnett County.

WHEREFORE, pursuant to O.C.G.A. §38-3-61(c) the Court finds that the circumstances underlying the judicial emergency make access to the office of a Clerk of Court or a courthouse temporarily impossible or impractical. The Court hereby designates another facility, which is reasonably accessible and appropriate, for the conduct of court business. I hereby temporarily designate as that alternate facility for the conduct of judicial business to be:

**COURT FACILITY AT THE GWINNETT PRETRIAL DETENTION CENTER
2900 HIGHWAY 316
LAWRENCEVILLE, GEORGIA 30043**

The alternate facility shall be accessible to the public pursuant to Section XXVII of the Superior Court's Standing Administrative Order and during the hours required by O.C.G.A. §15-6-93.

This temporary order shall be effective from March 19, 2020 at 9:00 A.M. to March 23, 2020 at 5:00 P.M. ONLY and shall terminate effective March 24, 2020 when normal operations

may resume that morning.

This temporary three (3) day designation of an alternate facility does not serve to alter, amend, or in any way modify the earlier declarations referenced above.

IT IS ORDERED that the Sheriff of Gwinnett County shall post this Order publically in the affected courthouse locations and at each public entry point of each location.

There shall be no interruption of normal E-Filing services in the effected courts to the extent they are otherwise normally available.

IT IS FURTHER ORDERED that the undersigned shall immediately notify and serve Chief Justice Harold D. Melton of the Supreme Court with a copy of this Order, such service to be accomplished via email to Tee Barnes, the Clerk of the Supreme Court of Georgia, at barnest@gasupreme.us;

IT IS FURTHER ORDERED that the undersigned shall immediately notify and serve a copy of the order on the judges and clerks of all courts sitting within the jurisdictions affected and on the clerks of the Georgia Court of Appeals and the Georgia Supreme Court, such service to be accomplished through reasonable means to assure expeditious receipt; and

IT IS FURTHER ORDERED that the undersigned shall give notice of the issuance of this Order to the affected parties, counsel for the affected parties, and the public.

SO ORDERED this 18th day of March, 2020 at 4:00 P.M..



GEORGE F. HUTCHINSON, III
Chief Judge, Superior Court of Gwinnett County

Copies to:

Chief Justice of the Supreme Court
Clerk of the Supreme Court
Clerk of the Court of Appeals
Judges of the Gwinnett Superior Court
Judges of the Gwinnett State Court
Chief Magistrate of Gwinnett County
Clerk of Superior, State & Magistrate Courts
Chief Probate Court Judge
Judges of the Juvenile Court of Gwinnett County
Recorders Court Judges of Gwinnett County
District Attorney
State Court Solicitor General
Sheriff of Gwinnett County .

FILED IN OFFICE
MAR 13 2020

FILED IN OFFICE
CLERK SUPERIOR COURT
GWINNETT COUNTY, GA.

Richard Alexander
CLERK OF SUPREME
COURT OF GEORGIA

IN THE SUPERIOR COURT OF GWINNETT COUNTY

20 MAR 13 PM 1:32

STATE OF GEORGIA

RICHARD ALEXANDER, CLERK

IN RE:
DECLARATION OF
JUDICIAL EMERGENCY

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20-AA-0028

March 13, 2020

ORDER DECLARING JUDICIAL EMERGENCY

WHEREAS, IT HAS BEEN DETERMINED that a Judicial Emergency exists in Gwinnett County, Georgia affecting all courts such that there is a serious health emergency pursuant to O.C.G.A. § 38-3-60(2)(D).¹

WHEREAS, IT HAS BEEN DETERMINED that the Judicial Emergency substantially endangers or infringes upon the normal functioning of the judicial system as it relates to jury service, including grand jury service, and any non-essential matters, unless they can be conducted via video or teleconferencing.

Therefore, pursuant to O.C.G.A. § 38-3-61, The Honorable Chief Judge George F. Hutchinson, III of the Superior Court of Gwinnett County, Gwinnett Judicial Circuit DOES HEREBY ORDER AND DECLARE the existence of a Judicial Emergency in the Gwinnett Judicial Circuit. The nature of this emergency is the continued transmission of Coronavirus/COVID-19 throughout Gwinnett County and the potential infection of those who are required to appear in our courts and interact with large groups due to jury service, including

¹ See O.C.G.A. § 38-3-60(2)(D) (providing that "Judicial Emergency" means "[s]uch other serious emergency").

Georgia, Gwinnett County
This is to certify this is a true and correct copy
of Order as the same appears of record
in Gwinnett County Superior/State Court.
Given under my official signature and seal of
the Court this 13 day of March, 2020
Shonna A. Johnson
Deputy Clerk Superior/State Court, Gwinnett County, Georgia

grand jury service, or other large, non-essential calendars. Thus, the undersigned hereby makes this declaration of a judicial emergency affecting all courts and clerk's offices in Gwinnett County as it relates to jury service, including grand jury service, and any non-essential matters.

Accordingly, IT IS THE ORDER of the Court that no jurors or grand jurors shall report and no jury trials shall be held (excepting those trials now in progress and at the discretion of the presiding judge) for a period of fourteen (14) days from the date of the entry of this Order. Furthermore, no civil or non-essential matters shall be heard by the courts during this fourteen (14) day time period excepting as authorized below. Parties or attorneys in any non-essential matters should contact the chambers of the judge assigned to their case if they have any questions and/or need to ensure their compliance with this Order.

Pursuant to O.C.G.A. § 38-3-62, during the period of this Order, the Court hereby suspends, tolls, extends, and otherwise grants relief from deadlines, other schedules and filing requirements as defined in O.C.G.A. § 38-3-62.

For the purpose of this order, the Chief Judges of the Superior, State and Magistrate Courts have determined the following to be essential matters:

1. Arrest and search warrants;
2. First Appearance hearings;
3. Family Violence and Stalking Temporary Protective Order applications and hearings;
4. Misdemeanor Jail Court calendars including probation revocation hearings conducted at the jail; and
5. Any other matter deemed essential by the Judge (except summoning new jurors) to whom that case is assigned including matters now in progress before that judicial officer.

These essential functions will continue to take place as scheduled by the respective Court.

Additionally, for the duration of this Emergency Order, the Clerk of Court is directed not

to accept any new garnishment filings in Magistrate, State or Superior Court.

Should the state of emergency extend beyond the period indicated above or should the nature of the emergency otherwise require modification by the Court, the Court will make a determination of available alternative remedies for the conduct of court business, as necessary, and a corresponding Order will be entered and distributed in accordance with Georgia law.

Pursuant to O.C.G.A. § 38-3-63:

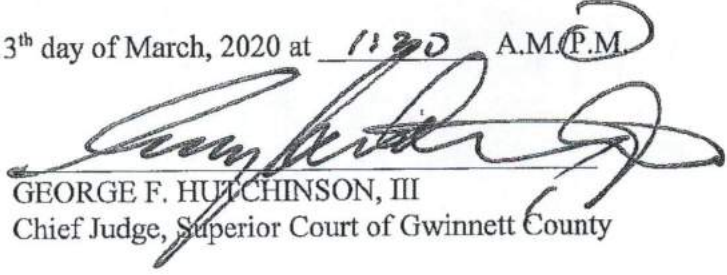
IT IS ORDERED that the Sheriff of Gwinnett County shall post this Order on his public notification site and in the courthouses;

IT IS FURTHER ORDERED that the undersigned shall immediately notify and serve Chief Justice Harold D. Melton of the Supreme Court with a copy of this Order, such service to be accomplished via email to Tee Barnes, the Clerk of the Supreme Court of Georgia, at barnest@gasupreme.us;

IT IS FURTHER ORDERED that the undersigned shall immediately notify and serve a copy of the order on the judges and clerks of all courts sitting within the jurisdictions affected and on the clerks of the Georgia Court of Appeals and the Georgia Supreme Court, such service to be accomplished through reasonable means to assure expeditious receipt; and

IT IS FURTHER ORDERED that the undersigned shall give notice of the issuance of this Order to the affected parties, counsel for the affected parties, and the public.

SO ORDERED this 13th day of March, 2020 at 1130 A.M./P.M.


GEORGE F. HUTCHINSON, III
Chief Judge, Superior Court of Gwinnett County

Copies to:

Chief Justice of the Supreme Court
Clerk of the Supreme Court
Clerk of the Court of Appeals
Judges of the Gwinnett Superior Court
Judges of the Gwinnett State Court
Chief Magistrate of Gwinnett County
Clerk of Superior, State & Magistrate Courts
Chief Probate Court Judge
Judges of the Juvenile Court of Gwinnett County
Recorders Court Judges of Gwinnett County
District Attorney
State Court Solicitor General
Sheriff of Gwinnett County